

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PROGRESSIVE SPECIALTY	)	
INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO: 2:06-CV-336-MHT
	)	
DARRYL D. FINCH, et al.,	)	
	)	
Defendants.	)	

**REQUEST FOR ADMISSIONS**

COMES NOW the plaintiff, Progressive Specialty Insurance Company, pursuant to Rule 36 of the Federal Rules of Civil Procedure, and requests the defendants to admit the truthfulness of the following facts:

- 1. Admit that Progressive issued a policy of commercial auto insurance to Finch Enterprises, Inc. which was in effect at the time of this accident.
- 2. Admit that Bernard Washington (“Washington”) was injured on February 13, 2004 while driving a truck owned by Finch Enterprises, Inc. and insured by Progressive.
- 3. Admit that Washington made a liability claim against Finch Enterprises and Darryl D. Finch (“Finch”) for his injuries in the accident.
- 4. Admit that the Progressive policy excluded coverage for bodily injuries to employees of Finch Enterprises.

5. Admit that Washington was an employee of Finch Enterprises at the time of the accident.

6. Admit that the Progressive policy excluded liability coverage for bodily injury to any person driving an insured auto with the permission of the owner.

7. Admit that Washington was injured while driving Finch Enterprises' insured auto with its permission.

8. Admit that Finch Enterprises and Finch are not entitled to liability coverage for any injury claims asserted against them by Washington.

/s/ R. Larry Bradford  
R. Larry Bradford, Attorney for Plaintiff,  
Progressive Specialty Insurance Company  
Attorney Bar Code: BRA039

OF COUNSEL:

Bradford & Sears, P.C.  
2020 Canyon Road  
Suite 100  
Birmingham, AL 35216  
(205) 871-7733

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 30 day of November, 2006 served a copy of the foregoing to all attorneys of record by placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

Mr. Darryl D. Finch  
3347 Wells Road  
Montgomery, Alabama 36108

/s/ R. Larry Bradford  
Of Counsel